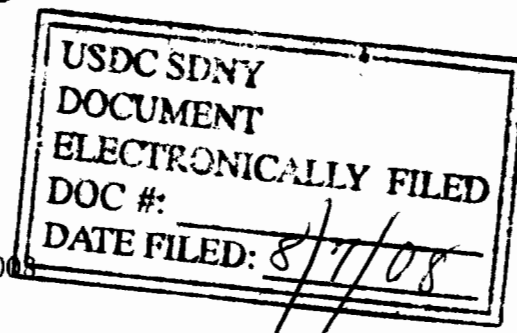


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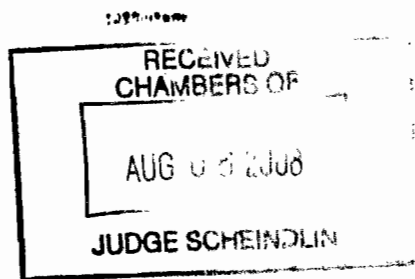


August 6, 2008

## VIA FAX

The Honorable Shira A. Scheindlin  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1620  
New York, NY 10007

Re: *Floyd, et al. v. The City of New York, et al.*  
Case No.: 08 Civ. 01034 (SAS)



Dear Judge Scheindlin:

We represent Plaintiffs in the above referenced case and write to request a conference with the Court to address the need for a protective order concerning the disclosure, maintenance and use of the certain sensitive personal identifying information.

Plaintiffs disclosed their social security numbers, dates of birth and home addresses and also authorized the release of any criminal case related information not otherwise publicly available and/or subject to the provisions of N.Y.C.P.L. § 160.50 which relates to the specific incidents described in the Amended Complaint. This information was disclosed to Defendants' counsel as part of discovery in this case and through a limited authorization signed by the named Plaintiffs. After Defendants' counsel used the information by subpoena to a non-party in a manner which Plaintiffs had not authorized, to protect this information, Plaintiffs' counsel proposed that the parties enter into the enclosed Stipulated Protective Order to set certain guidelines as to the further use and disclosure of the information in this case. Defendants have objected to and refuse to enter into the stipulated order.

In the context of Plaintiffs' discovery request for the UF-250 data, the parties agreed that privacy and confidentiality protections would attach to personal identifying information such as addresses, social security numbers or police officers' tax identification numbers. However, Defendants' counsel refuses to observe those same protections with regard to Plaintiffs' sensitive personal information. The parties have discussed this matter, but are unable to reach an informal resolution.

The plaintiffs' request is hereby granted.  
A conference is hereby scheduled for  
2:00 PM on Thursday August 14, 2008 in  
Courtroom 15C.  
SO ORDERED:

Date: 8/7/08

Shira A. Scheindlin, U.S. D. J.



Plaintiffs' counsel respectfully requests a conference before the Court, at its convenience, to address this issue and entry of the proposed Protective Order to ensure the privacy rights of the named Plaintiffs.

Respectfully submitted,

*Andrea Costello*

CENTER FOR CONSTITUTIONAL RIGHTS

Andrea Costello (AC-6197)

Kamau Franklin (KF-6837)

Darius Charney (DC-1619)

BELDOCK, LEVINE & HOFFMAN, LLP

Jonathan Moore (JM-6902)

Enclosure

cc: David Hazan (via electronic mail and U.S. Mail)